

## **EXHIBIT A**



Entered on Docket  
June 22, 2010

*Bruce A. Markell*

**Hon. Bruce A. Markell**  
**United States Bankruptcy Judge**

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**UNITED STATES BANKRUPTCY COURT**

**DISTRICT OF NEVADA**

In re:

FX LUXURY LAS VEGAS I, LLC,

Debtor.

) CASE NO. BK-S-10-17015-bam  
) Chapter 11  
) Hearing Date: June 11, 2010  
) Hearing Time: 9:30 a.m.

**ORDER GRANTING NEXBANK, SSB'S AND CERTAIN SECOND LIEN LENDERS'  
MOTION FOR ORDER TERMINATING EXCLUSIVITY**

1                   **ORDER GRANTING NEXBANK, SSB'S AND CERTAIN SECOND LIEN LENDERS'**  
 2                   **MOTION FOR ORDER TERMINATING EXCLUSIVITY**

3                   The Motion of NexBank, SSB, as successor administrative and collateral agent for the  
 4                   Second Lien Lenders (the "Second Lien Lenders"), and certain of the Second Lien Lenders (Five  
 5                   Mile Capital Pooling International LLC; FMC Real Estate CDO 2005-1 Master Trust, Series C;  
 6                   Spectrum Investment Partners, L.P.; and Transamerica Life Insurance Company) for Order  
 7                   Terminating Exclusivity (the "Motion") (Docket No. 118) having come on for hearing at the  
 8                   above date and time, the Honorable Bruce A. Markell presiding, all appearances noted on the  
 9                   record, the Court having reviewed the Motion, all other pleadings, oppositions, replies,  
 10                   declarations, evidence submitted in connection with the Motion and the oral arguments of  
 11                   counsel, based on the findings of fact and conclusions of law stated in the record at the hearing  
 12                   and incorporated herein, and good and sufficient cause appearing, the Court finds that:

13                   A.       The Court has jurisdiction over the Motion pursuant to 28 U.S.C. §§ 157 and  
 14                   1334; venue is proper pursuant to 28 U.S.C. §§ 1408 and 1409; and the matter is a core  
 15                   proceeding pursuant to 28 U.S.C. § 157(b)(2);

16                   B.       Notice of the Motion and the hearing was adequate and appropriate under the  
 17                   particular circumstances and complies with the applicable provisions of Title 11 of the United  
 18                   States Code (the "Bankruptcy Code"), the Federal Rules of Bankruptcy Procedure, and the Local  
 19                   Rules of Bankruptcy Practice of the United States District Court for the District of Nevada, and  
 20                   this Court has determined that no other or further notice need to be given; and

21                   C.       The legal and factual bases set forth in the Motion and presented during the  
 22                   hearing establish good and sufficient "cause" for the Court to enter an order, pursuant to section  
 23                   1121(d) of the Bankruptcy Code, terminating the periods (1) under section 1121(c)(2) in which  
 24                   the Debtor has the exclusive right to file a plan and (2) under section 1121(c)(3) in which the  
 25                   Debtor has the exclusive right to solicit and obtain acceptances of a plan (collectively, the  
 26                   "Exclusivity Periods").

27                   IT IS HEREBY ORDERED that

28                   1.       All objections to the Motion are overruled in their entirety.

1           2.     The Motion is **GRANTED**, and the Exclusivity Periods shall be, and hereby are,  
2 terminated as to all parties in interest effective as of June 21, 2010.

3           **IT IS SO ORDERED.**

4 Respectfully prepared and submitted by:

5           By: /s/ Natalie M. Cox, Esq.

6           NILE LEATHAM, ESQ.

7           Nevada Bar No. 002838

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15           and

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27           C; SPECTRUM INVESTMENT PARTNERS, L.P.; & TRANSAMERICA LIFE  
28           INSURANCE COMPANY

19           **APPROVED/DISAPPROVED:**

20           **OFFICE OF THE U.S. TRUSTEE**

21           By: /s/ Athanasios E. Agelakopoulos

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2 terminated as to all parties in interest effective as of June       , 2010.

3       **IT IS SO ORDERED.**

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 and  
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 14 2 Park Avenue  
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15 ALTERNATIVE METHOD re: RULE 9021:

16 In accordance with Local Rule 9021, the undersigned certifies:

17  The Court waived the requirement of approval under LR 9021.

18  This is a chapter 7 or 13 case, and either with the motion, or at the hearing, I have delivered  
 19 a copy of this proposed order to all counsel who appeared at the hearing, any unrepresented  
 20 parties who appeared at the hearing, and each has approved or disapproved the order, or  
 failed to respond, as indicated below:

21  This is a chapter 9, 11 or 15 case, and I have delivered a copy of this proposed order to all  
 22 counsel who appeared at the hearing, any unrepresented parties who appeared at the  
 23 hearing, and each has approved or disapproved the order, or failed to respond, as indicated  
 below:

24  I certified that I have served a copy of this order with the motion, and no parties appeared  
 or filed written objections.

25 Party	Approved	Disapproved	Failed to Respond
26 Athanasios E. Agelakopoulos	XXX	_____	_____
Brett A. Axelrod, Esq.	XXX	_____	_____
27 Rodney M. Jean, Esq.	XXX	_____	_____
Frederick E. Schmidt, Esq.	XXX	_____	_____

28 # # #